

REMARKS

The Official Action mailed June 7, 2004, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for Two Month Extension of Time*, which extends the shortened statutory period for response to November 7, 2004. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on September 27, 2000, October 12, 2000, February 14, 2001, March 11, 2002, October 21, 2002, and October 24, 2004. Further to the IDS filed October 12, 2000, a Supplemental Information Disclosure Statement is submitted herewith which provides English translations of JP 08-065609 and JP 02-135421. Consideration of this Supplemental Information Disclosure Statement is respectfully requested.

Claims 1-29 were pending in the present application prior to the above amendment. Claims 1, 12, 14 and 15 have been canceled, independent claim 3 has been amended to better recite the features of the present invention, dependent claims 4-11 and 16-29 have been amended to correct dependency, and new claims 30-34 have been added to recite additional protection to which the Applicant is entitled. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 3 of the Official Action provisionally rejects claims 1-29 under the doctrine of obviousness-type double patenting over claims 1-20 of copending Application No. 09/740,944. In response, the Applicant respectfully requests that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in either the present application or the copending application. At such time, the Applicant will respond to any remaining double patenting rejections.

Paragraph 5 of the Official Action rejects claims 5-7 and 17-19 under 35 U.S.C. § 112, first paragraph, asserting a lack of enablement. Specifically, the Official Action asserts that the specification does not enable the feature of randomly shifting a

frequency of a reference clock signal, or shifting a frequency of a reference clock signal in the form of either a sine wave or a triangular wave. The Applicant respectfully traverses the assertion and the rejection.

The Applicant respectfully submits that, at the time of the present invention, a circuit for producing a desired waveform was available. In addition, the feature of randomly shifting a frequency of a reference clock signal, or shifting a frequency of a reference clock signal in the form of either a sine wave or a triangular wave are described in the specification at least at page 7, paragraphs 4-6. The modulation of clock signals is described in the present specification, for example, at page 15. Therefore, the teaching of the concept of randomly shifting or shifting in the form of a triangular wave or sine wave, as described in the present specification, is sufficient to enable one of ordinary skill in the art to practice the present invention as claimed. Therefore, the Applicant respectfully submits that claims 5-7 and 17-19 are enabled. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112 are in order and respectfully requested.

Paragraph 7 of the Official Action rejects claims 1, 5, 12, 13 and 17 as anticipated by U.S. Patent No. 6,046,735 to Bassetti et al. Independent claims 1 and 12 have been canceled; therefore, the rejection of claims 1 and 12 is now moot. Dependent claim 5 has been amended to depend from claim 2, and the rejection of claim 2 and the deficiencies in Bassetti are discussed below. With respect to independent claim 13 and dependent claim 17, the Applicant respectfully traverses the rejection because the Official Action has not established an anticipation rejection.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicant respectfully submits that an anticipation rejection cannot be maintained against independent claim 13 of the present application. Bassetti does not

teach all the elements of the independent claims, either explicitly or inherently. In pertinent part, claim 13 recites that a modulated clock signal obtained by frequency modulating a reference clock signal is inputted to a source signal line-side driving circuit, while a modulated clock signal which differs from the modulated clock signal in quantity of frequency shifting or method of frequency modulation is inputted to a gate signal line-side driving circuit. The Official Action is silent as to the above-referenced features, and the Applicant respectfully submits that Bassetti does not teach the features, either explicitly or inherently.

Since Bassetti does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Paragraphs 9-12 of the Official Action reject claims 2-4, 6-11, 14-16 and 18-29 as obvious based on the combination of Bassetti and either U.S. Patent No. 6,115,020 to Taguchi, U.S. Patent No. 6,281,873 to Oakley, U.S. Patent No. 4,713,688 to Guttner or U.S. Patent No. 5,703,621 to Martin et al. Dependent claims 4, 6 and 7 have been amended to depend from claim 2, dependent claims 8-11 have been amended to depend from claim 2 or 3, and dependent claims 16 and 18-29 have been amended to depend from claim 13. Dependent claims 14 and 15 have been canceled; therefore, the rejection of claims 14 and 15 is now moot.

With respect to independent claim 2 and its dependent claims, the Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness. With respect to independent claim 3 and its dependent claims, the Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against independent claim 3, as amended. With respect to dependent claims 16 and 18-29, which depend on independent claim 13, the Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

With respect to independent claim 2 and dependent claims 8-11 as they depend from claim 2, the Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness. Independent claim 2 recites performing sampling and A/D conversion on an analog image signal on the basis of a modulated clock signal and obtaining a digital image signal. The Official Action appears to assert that Bassetti teaches all the claimed limitations except for an analog-to-digital converter, for which Taguchi is relied upon by the examiner. The Applicant respectfully disagrees with this rejection.

Even if the motivation to combine Bassetti and Taguchi were proper, the combination would not render the present invention obvious. Specifically Bassetti and Taguchi do not teach or suggest performing sampling and A/D conversion on an analog image signal on the basis of a modulated clock signal, and performing D/A conversion

on a digital image signal on the basis of a reference clock signal. Although it is not clearly stated in the Official Action, it appears that the hypothetical sampling and D/A conversion of the combined device of Bassetti and Taguchi would have to somehow be a part of a writing step of a digital data into video memory 50 of Bassetti. However, there is no teaching or suggestion in Bassetti or Taguchi regarding the use of a modulated clock signal for writing into a video memory 50. Therefore, Bassetti and Taguchi do not teach or suggest performing sampling and A/D conversion on an analog image signal on the basis of a modulated clock signal and obtaining a digital image signal.

With respect to dependent claim 4, Oakley does not cure the deficiencies in Bassetti. The Official Action relies on Oakley to allegedly teach Gaussian filter coefficients (page 9, Paper No. 20). With respect to dependent claims 6 and 7, Guttner does not cure the deficiencies in Bassetti. The Official Action relies on Guttner to allegedly teach offset rasters (page 10, Paper No. 20). However, Bassetti and either Oakley or Guttner, either alone or in combination, do not teach or suggest performing sampling and A/D conversion on an analog image signal on the basis of a modulated clock signal and obtaining a digital image signal.

With respect to independent claim 3 and dependent claims 8-11 as they depend from claim 3, the Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against independent claim 3, as amended. Claim 3 has been amended to recite that a modulated clock signal is obtained by shifting a frequency of a reference clock signal on the basis of a Gaussian histogram. Bassetti and Taguchi do not teach or suggest at least the above-referenced features of the present invention.

It is noted that this feature was previously recited in claim 4, that the Official Action relies on the alleged combination of Bassetti and Taguchi for the rejection of claim 3, and that claim 4 is rejected based on the alleged combination of Bassetti and Oakley. However, the Applicant respectfully submits that it would not have been obvious to combine Bassetti, Taguchi and Oakley, because there is no motivation to

combine the three references to achieve all the features of the present invention. Therefore, Bassetti, Taguchi and Oakley, either alone or in combination, do not teach or suggest that a modulated clock signal is obtained by shifting a frequency of a reference clock signal on the basis of a Gaussian histogram.

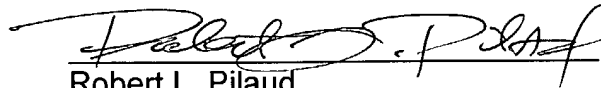
With respect to dependent claims 16 and 18-29, which depend on independent claim 13, the Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness. Specifically, with respect to dependent claim 16, Oakley does not cure the deficiencies in Bassetti, with respect to dependent claims 18 and 19, Guttner does not cure the deficiencies in Bassetti, and with respect to claims 20-29, Martin does not cure the deficiencies in Bassetti. As noted above, the Official Action relies on Oakley to allegedly teach Gaussian filter coefficients (page 9, Paper No. 20) and on Guttner to allegedly teach offset rasters (page 10, *Id.*). The Official relies on Martin to allegedly teach a display device having a passive matrix circuit (page 11, *Id.*). However, Bassetti and either Oakley, Guttner or Martin, either alone or in combination, do not teach or suggest that a modulated clock signal obtained by frequency modulating a reference clock signal is inputted to a source signal line-side driving circuit, while a modulated clock signal which differs from the modulated clock signal in quantity of frequency shifting or method of frequency modulation is inputted to a gate signal line-side driving circuit.

Since Bassetti and either Taguchi, Oakley, Guttner or Martin do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New claims 30-34 have been added to recite additional protection to which the Applicant is entitled. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 30-34 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Pilaud", written over a horizontal line.

Robert L. Pilaud
Reg. No. 53,470

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789